

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

CLAUDIA BARRY,
Plaintiff,

v.

WELLS FARGO HOME MORTGAGE, et
al.,
Defendants.

Case No. [15-cv-04606-BLF](#)

**ORDER REGARDING DEFENDANT'S
MOTION TO DISMISS**

[Re: ECF 18]

On December 23, 2015, Plaintiff filed a motion for leave to file an amended complaint. ECF 16. The motion appears to have included a copy of an amended complaint. *Id.* However, the motion was only a *request* to file an amended complaint. Thus, on December 29, 2015, the Court granted Plaintiff's request and instructed Plaintiff to file an amended complaint by January 12, 2016. ECF 17. Plaintiff did not file an amended complaint and on January 26, 2016, Defendant filed a motion to dismiss for failure to prosecute and for failure to comply with court orders. ECF 18.

Since Plaintiff is proceeding *pro se*, the Court clarifies for Plaintiff that her December 23, 2015 request to file an amended complaint was only a request. After the Court granted her request, Plaintiff still had to file an amended complaint. Accordingly, Plaintiff is ORDERED to either file an amended complaint or respond to Defendant's motion to dismiss by February 9, 2016.

Plaintiff may wish to contact the Federal Pro Se Program, a free program that offers limited legal services and advice to parties who are representing themselves. The Federal Pro Se Program has offices in two locations, listed below. Help is provided by appointment and on a drop-in basis. Parties may make appointments by calling the program's staff attorney, Mr. Kevin


1 Knestrick, at 408-297-1480. Additional information regarding the Federal Pro Se Program is
2 available at <http://cand.uscourts.gov/helpcentersj>.

3 Federal Pro Se Program
4 United States Courthouse
280 South 1st Street
5 2nd Floor, Room 2070
San Jose, CA 95113
6 Monday to Thursday 1:00 pm – 4:00 pm
7 Fridays by appointment only

Federal Pro Se Program
The Law Foundation of Silicon Valley
152 North 3rd Street
3rd Floor
San Jose, CA 95112
Monday to Thursday 9:00 am – 12:00 pm
Fridays by appointment only

8 **IT IS SO ORDERED.**

9 Dated: January 27, 2016

10 
11 BETH LABSON FREEMAN
United States District Judge

United States District Court
Northern District of California